

REMARKS

Favorable consideration of this Application in light of the following discussion is respectfully requested.

Claims 1-27 are pending in the present Application. Claims 1-27 have been amended to address cosmetic matters of form. Non-cosmetic changes find support at least at Figs. 4-7 and their corresponding description in the specification. No new matter has been added.

By way of summary, the Official Action of June 29, 2006 presents the following issues: Claims 1-27 stand rejected under 35 U.S.C. § 102 as being anticipated by Sumiya (EP 0 892 554 A2).

REJECTION UNDER 35 U.S.C. § 102

The outstanding Official Action has rejected Claims 1-27 under 35 U.S.C. § 102 as being anticipated by Sumiya. The Office Action contends that Sumiya describes all of the Applicants' claimed features. Applicants respectfully traverse the rejection.

Applicants' Claim 1 recites, *inter alia*, an information retrieving apparatus for retrieving multimedia content from a plurality of multimedia content provided by a pre-determined information providing means, including:

. . . storing means for storing a usage history of a recording medium used for recording said multimedia content;
and

retrieving means for retrieving multimedia content from said plurality of multimedia content on the basis of said usage history the history data including weighted values to differentiate between frequencies of reproduction of multimedia content of the recording medium.

Sumiya describes a program information retrieval apparatus for retrieving, from a broadcasting apparatus, broadcast data, which includes program information. The program information retrieval apparatus, or "reception apparatus," is a TV set, which includes a broadcast reception unit (201), an extraction unit (202), a display control unit (203), a display

unit (204), a program data storage unit (205), a link information control unit (206), an input unit (208), a video recording unit (209), a clock unit (211), and a control unit (212).¹

The extraction unit (202) extracts data from the received broadcast data and manages the program plan information and the program detailed information included in the received broadcast data. The program detailed information and the program plan information are extracted from the program information field (302) and the program plan information field (303).² This extracted information is stored in the program data storage unit (205).

Upon storage, the program detailed information in the program data storage unit (205), the extraction unit (202) compares the link information of the newly added program detailed information with that of existent program detailed information having been stored in the program data storage unit. If a match is not found, the extraction unit (202) corrects the new information with the existing one, as the existing one reflects a program reservation specified by the user.³

As illustrated in Figs. 7A and 7B of Sumiya, this correction of information includes making the program detailed information consistent with respect to programs which have yet to be broadcast and programs which have already been broadcast, but still exist as video recorded programs.⁴

Conversely, in an exemplary embodiment of the Applicants' advancements, an information retrieving apparatus retrieves multimedia content from a plurality of multimedia content by maintaining a usage history of a recording medium used for recording the multimedia content. Multimedia content is retrieved from an information providing means from a plurality of contents of information on the basis of the usage history. The history data

¹ Sumiya at Fig. 2; column 15, lines 40-46.

² Sumiya at Fig. 3.

³ Sumiya at column 16, lines 3-11.

⁴ Sumiya at column 16, lines 12-24; Fig. 7A and 7B.

includes weighted values to differentiate between the frequencies of reproduction of multimedia content of the recording medium.

While the Official Action has cited the retrieval aspect of Applicants' claim as being disclosed at several locations in the Sumiya reference, these locations do not disclose the claimed retrieval process.⁵ More specifically, the citations to Sumiya simply describe updating link information based upon newly added information. This new information is metadata of a program and not the multimedia content underlying the metadata. Moreover, this newly added information is not retrieved in accordance with usage history of a recording medium as recited in the Applicants' claims, but is, instead, extracted from broadcast data as a matter of course.⁶ Additionally, portions of the Sumiya reference, which describe the operation of the control unit relative to link information, is cited as describing Applicants' claimed retrieval of information based upon usage history of a recording medium. However, as this identification of similar programs by common link information is actuated by a user through a remote control, it cannot be said to disclose, or suggest, retrieving multimedia content from a plurality of multimedia content on the basis of usage history of a recording medium the history data including weighted values to differentiate between frequencies of multimedia content of the recording medium as currently recited in amended Claim 1, and any claim depending therefrom.

Although Claims 2-27 are of differing statutory class and/or scope, it is respectfully submitted that the invention define by Claims 2-27 also patentably define over Sumiya for at least the same reasons as discussed above with regard to amended Claim 1. Therefore, it is respectfully submitted that the invention defined by Claims 1-27 patentably defines over the asserted prior art.

⁵ See Official Action of June 29, 2006 at page 3 citing column 16, lines 3-11, column 19, lines 28-40, column 21, lines 22-29, and line 56, and column 22, line 18.

⁶ Sumiya at column 16, lines 3-11.

CONCLUSION

Consequently, in view of the foregoing amendment and remarks, it is respectfully submitted that the present Application, including Claims 1-27, is patently distinguished over the prior art, in condition for allowance, and such action is respectfully requested at an early date.

Respectfully submitted,

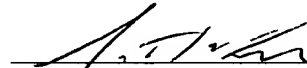
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